

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

MERRY SAXTON,	:	
Plaintiff,	:	Case No. 3:11cv00303
vs.	:	District Judge Timothy S. Black
		Magistrate Judge Sharon L. Ovington
MICHAEL J. ASTRUE,	:	
Commissioner of the Social	:	
Security Administration,	:	
Defendant.	:	

ORDER

This case is before the Court upon the parties' Agreed Motion For Remand. (Doc. No. 10). In light of the parties' agreement, the Court finds that an Order remanding this matter for further administrative proceedings is warranted under sentence four of 42 U.S.C. §405(g).

On remand, the Administrative Law Judge (ALJ) will evaluate Dr. Bhat's medical source opinion (Tr. 153-60) pursuant to the provisions of 20 C.F.R. § 404.1527 and § 416.927 and Social Security Rulings 96-2p and 96-5p, explaining the weight given to such opinion evidence. Plaintiff will have the opportunity to update the record and will be given a de novo hearing. After reevaluating the evidence, the ALJ will issue a new decision regarding Plaintiff's disability application.

IT IS THEREFORE ORDERED THAT:

1. The parties' Agreed Motion for Remand (Doc. No. 10) is GRANTED, and the Clerk of Court is directed to enter Judgment in favor of Plaintiff;
2. The Commissioner's final decision is reversed and this matter is remanded to the Social Security Administration pursuant to sentence four of 42 U.S.C. §405(g) for further proceedings consistent with this Order; and
3. The case is terminated on the docket of this Court.

February 29, 2012

s/Sharon L. Ovington
Sharon L. Ovington
United States Magistrate Judge